



**ENFORCEMENT OF THE  
ENVIRONMENTAL PROTECTION AND  
ENHANCEMENT ACT**

**April 1, 1998 - March 31, 1999**

**December 1999**

**Enforcement and Monitoring Division  
Alberta Environment**



## PURPOSE OF THIS REPORT

This report provides an overview of the enforcement of Alberta's Environmental Protection and Enhancement Act (EPEA) for the fiscal year ending March 31, 1999. Even though a number of agencies are responsible for enforcing some aspect of EPEA, overall direction of the enforcement program for EPEA rests with Alberta Environment's Enforcement and Monitoring Division.

The mandate of the Enforcement and Monitoring Division is to ensure firm but fair enforcement of the EPEA in a timely and consistent manner. This mandate is fulfilled by the regional investigation of environmental concerns and incidents and, when these concerns and incidents warrant it, enforcement action is taken.

Over this fiscal year, there has been a significant change in the delivery of enforcement under EPEA. In the past, decisions to undertake enforcement action were made by the Director of Pollution Control. As of the winter of 1999, Regional Enforcement and Monitoring Managers have taken the lead role in deciding when and what type of enforcement should take place.

This report is the latest in the series summarizing enforcement activities since the enactment of EPEA. The following are also available:

Enforcement of EPEA: September 1, 1993 to December 31, 1995

Enforcement of EPEA: January 1 to December 31, 1996

Enforcement of EPEA: January 1 to December 31, 1997

Enforcement of EPEA: April 1, 1997 to March 31, 1998



**SUMMARY OF ENFORCEMENT ACTIONS**  
**ALBERTA ENVIRONMENT**  
**April 1, 1998 to March 31, 1999**

Administrative Penalties (ADMIN)	34
Enforcement Orders (EO)	1
Enforcement Orders for Waste (EOW)	2
Environmental Protection Orders (EPO)	1
Tickets (TICK)	7
Warnings (WRNG)	37
Charges Laid	47
Charges Concluded (PROS)	128
<b>Total Fines/Penalties</b>	
Assessed:	
ADMIN	\$165,250.00
TICK	805.00
PROS	<u>1,191,500.00</u>
	<b>\$1,357,555.00</b>



COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DECISION DATE/ PENALTY*	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Gulf Canada Resources Ltd.	M.D. of Clearwater No. 99 -W-10-44-12-W5	98/04/27 ASSESSED: \$4,000.00	EPEA 213(e)	Company operates the Nordegg River sour gas plant; exceeded both the one-hour concentration and one-hour mass emission limits for SO2 specified in the approval to operate; paid 98/08/04..
Crop Tech Agro Ltd.	M.D. of Wainwright No. 61 -NE-2-44-3-W4	98/05/04 ASSESSED: \$3,500.00	EPEA/(R)24/97 156.5	Company mixed the pesticide LIBERTY with FUSION, the combination of which was not permitted by label specifications, and application in a manner contrary to label instructions which resulted in an adverse effect to neighboring shelter belts (s.5, AR 24/97); paid 98/05/14.
Petro-Canada	M.D. of Yellowhead No. 94 -NE-31-48-12-W5	98/05/04 ASSESSED: \$14,000.00	EPEA 213(e)	During catalyst bed replacement at the Brazeau River sour gas plant, the company had approval limit contraventions respecting minimum flue gas temperature, maximum one hour SO2 concentration and mass emission rate, and maximum daily SO2 mass emission rate; the company also failed to submit stack survey reports within the timeframes specified by their approval and the Air Monitoring Directive; paid 98/05/15.
Lakeside Feeders Ltd. operating as Lakeside Packers	County of Newell No. 4 -N-19-19-14-W4	98/05/13 ASSESSED: \$8,500.00	EPEA 213(e)	The company contravened their approval to operate by failing to: submit a full characterization survey of wastewater; develop, document and implement a Best Management Practices Plan and soil monitoring proposal; submit a brine water reduction plan and the 1996 annual report within the specified timeframe; and, maintain pH levels as required and operate the rendering building in the manner specified; paid 98/08/18.
Gulf Canada Resources Limited	Lacombe County 10-14-39-3-W5	98/05/21 ASSESSED: \$9,500.00	EPEA 213(e)	The company failed to submit monthly air emission reports and an annual air emissions summary within the timeframe specified by their approval to operate the Medicine River gas plant; paid 98/07/13.
Wayne's Aviation Salvage and Parts 1994 Co. Ltd.	County of Vulcan No. 2 -NE-24-16-25-W5	98/05/25 ASSESSED: \$4,000.00	EPEA 156	The company aerially applied the insecticide Lorsban 4E contrary to the pesticide label; paid in full 98/09/25.
Wascana Energy Inc.	Municipality of Wood Buffalo 11-19-80-4-W4	98/05/26 ASSESSED: \$14,000.00	EPEA 213(e)	Company operates the Cowpar sour gas plant; failed to submit several monthly air emissions reports, 1996 and 1997 annual air emissions reports and the 1997 annual wastewater report within the timeframes specified in their approval; paid 98/06/10.
Morrison Petroleum Limited	Municipality of Crownsnest Pass -SE-11-8-5-W5	98/07/07 ASSESSED: \$19,500.00	EPEA 99(2),213(e)	Failed to immediately report several releases of SO2 in concentrations that exceeded air quality guidelines [s.99(2)]; and, did not have air monitoring equipment operational 90% of the time for February 1997, as required by their approval to operate [s. 213(e)], for the Coleman sour gas plant; paid 98/07/22.
Creek Valley Agro Inc.	Special Area 4 -NW-5-35-3-W4	98/07/07 ASSESSED: \$750.00	EPEA/(R)24/97 5	Company applied Roundup Liquid Herbicide in a manner that resulted in an adverse effect to an adjacent field; paid 98/08/10.

**STATUTES:**

EPEA: Environmental Protection and Enhancement Act (R) indicates associated regulation

\* assessed amounts could be reduced as the result of an appeal



COMPANY/INDIVIDUAL	MUNICIPALITY/LD	DECISION DATE/ PENALTY*	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Mobil Oil Canada, Ltd.	Mountain View County -NE-27-31-4-W5	98/07/22 ASSESSED: \$1,000.00	EPEA 64(1)	Constructed and operated a new sulphur recovery unit at the Hamman sour gas plant without first obtaining an amendment to their approval to do so; paid 98/08/10.
NOVA Gas Transmission Ltd.	Brooks —41-97-12-459	98/07/30 ASSESSED: \$5,000.00	EPEA(R) 192/96 182,11	Company transported hazardous waste on two occasions without the required manifest (s. 182), and stored a vessel containing a hazardous waste (odourant) in a place and manner contrary to the regulation (s. 11); paid 98/08/31.
Boucher Bros. Lumber Ltd.	M.D. of East Peace No. 131 -NE-27-81-21-W5	98/08/06 ASSESSED: \$13,000.00	EPEA 213(e)	Non-compliance with the requirements of their approval to operate as follows: failure to submit an air reduction report; failure to install a temperature probe; failure to install at least six dust fall monitoring stations; and, failure to submit monthly reports; paid 98/09/02.
Celanese Canada Inc.	Edmonton -NE-17-53-23-W4	98/08/07 ASSESSED: \$1,500.00	EPEA 213(3)	An overflow of the pentaerythritol unit to the North Saskatchewan River resulted in an exceedance of the daily industrial wastewater composite Total Organic Carbon limit of the company's approval to operate; paid 98/08/31.
Bodo Oilfield Maintenance Ltd.	Special Area 4 -SE-2-34-1-W4	98/09/29 ASSESSED: \$5,500.00	EPEA(R) 126/93 5(1), 16(a)	A non-certified, unsupervised employee of the company applied an herbicide (TORDON 22K) containing picloram to cropland in a manner that caused an adverse effect; Notice of appeal filed 98/10/20; decision of the EAB 99/04/16 reduced penalty amount to \$3,750.00; paid 99/07/13.
Parkland County	Parkland County -NW-13-51-6-W5	98/10/05 ASSESSED: \$6,000.00	EPEA(R); 24/97 5(1)	On two occasions, a County employee applied a pesticide containing picloram in a manner or place (within 30 metres of an open body of water) that is likely to cause an adverse effect; paid 98/11/09.
Mannville, Village of	County of Minburn No. 27 -SW-25-50-9-W4	98/10/08 ASSESSED: \$1,000.00	EPEA 59	Village staff burned prohibited debris (plastic pails, plastic ropes, tires) at a landfill site without an approval; paid 98/11/05.
Elk Point, Town of	County of St. Paul No. 19 -SW-30-56-6-W4	98/10/20 ASSESSED: \$2,000.00	EPEA 213(e)	Failed to immediately report the discharge of partially treated sewage from the wastewater treatment plant to the North Saskatchewan River, and failed to take weekly effluent samples as required by the approval to operate; paid 98/11/20.
Amoco Canada Petroleum Company Ltd.	M.D. of Greenview No. 16 -1-62-20-W5	98/11/18 ASSESSED: \$3,000.00	EPEA 213(e)	Exceeded the approval limits for hourly sulphur dioxide concentration and mass emission rates at the Kaybob gas plant; paid 98/12/01.

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COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DECISION DATE/ PENALTY*	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Amoco Canada Petroleum Company Ltd.	M.D. of Woodlands No. 15 -NW-17-60-15-W5	98/11/29 ASSESSED: \$9,000.00	EPEA 213(e)	On two occasions, the company exceeded hourly sulphur dioxide concentration and mass emission rates for the sulphur recovery process unit incinerator stack at the West Whitecourt facility, contrary to the approval to operate; paid 98/12/16.
Amber Energy Inc.	M.D. of Opportunity No. 17 -E-36-80-25-W4	98/12/17 ASSESSED: \$2,000.00	EPEA 64(1)	Constructed and operated a new compressor at the Hoole sour gas plant without first obtaining an amendment to their approval to do so; paid 99/01/05.
Novagas Canada Ltd. operating as TransCanada Midstream	M.D. of Mackenzie No. 23 -NW-12-116-6-W6	98/12/17 ASSESSED: \$1,000.00	EPEA 213(e)	Failed to conduct a second manual stack survey of the sulphur recovery process unit in 1997 as required by the approval to operate the Zama 1 sour gas plant; paid 99/01/14.
Chevron Canada Resources Ltd.	M.D. of Yellowhead No. 94 9-9-52-21-W5	99/02/02 ASSESSED: \$1,000.00	EPEA 213(e)	The company failed to submit an October 1997 stack survey report within the timeframe specified in the approval to operate the Medicine Lodge sour gas plant; paid 99/02/17.
Praxair Canada Inc.	Strathcona County -SW-31-52-23-W4 -G-530KS	99/02/05 ASSESSED: \$1,500.00	EPEA 213(e)	Failed to provide a soil monitoring proposal within the timeframe specified in their approval to operate; paid 99/02/26.
Penn West Petroleum Ltd.	Flagstaff County 2-16-42-12-W4	99/02/09 ASSESSED: \$2,000.00	EPEA 213(e)	Sulphur dioxide emissions from the Sedgewick sour gas plant in July 1997 exceeded the limit specified in the approval to operate the facility; paid 99/02/18.
Union Carbide Canada Inc.	Lacombe County -30-39-25-W4	99/02/10 ASSESSED: \$3,000.00	EPEA 213(e)	Company failed to have air monitoring equipment operational for 90% of the time (minimum) in November and December 1997, contrary to the approval to operate the Prentiss facility; paid 99/03/10.
IKO Industries Ltd.	Calgary ---1-5-2167N	99/02/11 ASSESSED: \$1,500.00	EPEA 213(e)	Company failed to submit the 1997 stack survey report for the Brink Mist eliminator stack as required by the approval to operate their Calgary asphalt manufacturing plant; paid 99/03/02.
Marathon Canada Ltd.	Kneehill County 3-33-30-24-W4	99/02/18 ASSESSED: \$1,500.00	EPEA 213(e)	Company failed to submit the 1997 annual process wastewater report within the timeframe specified in the approval to operate the Twining sour gas plant; paid 99/03/01.

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COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DECISION DATE/ PENALTY*	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Marathon Canada Ltd.	Vulcan County 3-5-17-17-W4	99/02/18 ASSESSED: \$9,500.00	EPEA 213(e)	Company failed to submit several 1997 and 1998 monthly air emission reports, the 1997 annual air emissions summary, and the 1997 annual wastewater and runoff summary reports within the time frame specified in the approval to operate the Badger sour gas plant; paid 99/03/01.
Alberta Wheat Pool (o/a Alberta Pool)	M.D. of Cardston No. 6 -NW-28-4-23-W4	99/02/22 ASSESSED: \$3,500.00	EPEA 99(2)	Failed to immediately report a May 1998 release of anhydrous ammonia from a 100 tonne anhydrous ammonia storage tank; paid 99/03/22.
Atlas Lumber (Alberta) Ltd.	Municipality of Crowsnest Pass -SW-11-8-5-W5	99/02/23 ASSESSED: \$2,000.00	EPEA 213(e)	The beehive waste burner at the lumber mill emitted smoke in December 1997 with an opacity that exceeded the limit specified in the approval to operate, and the company failed to report that the temperature probe in the burner was not functioning within the timeframe specified in the approval; paid 99/03/23.
Plainsland Airspray Ltd.	County of Warner No. 5 -W-34-1-17-W4	99/02/25 ASSESSED: \$3,000.00	EPEA(R)24/97 5(1)	The company aerially applied 2,4-D liquid herbicide in June 1997 in a manner and under conditions that caused an adverse effect to the crops of two neighboring landowners; Notice of Appeal filed 99/03/17; disposition pending.
Tiger Calcium Services Inc.	Strathcona County ----1A-2-58B3MC	99/03/04 ASSESSED: \$1,000.00	EPEA 59	The company constructed and operated a fertilizer manufacturing plant without having obtained an approval; paid 99/04/06.
Municipal District of Cardston No. 6	M.D. of Cardston No. 6 -SW-17-2-28-W4	99/03/08 ASSESSED: \$5,000.00	EPEA 156	The Municipality's spraying crew applied the pesticide TORDON 22K within 30 horizontal metres of the Belly River without the appropriate approval to do so, contrary to s.9(1) of AR 43/97; and, the application was a use of the pesticide in a manner that is likely to cause an adverse effect, contrary to s.5(1) of AR 24/97. Notice of Appeal filed with EAB 99/03/31; EAB dismissed appeal 99/08/17.
Drayton Valley Power Ltd.	Drayton Valley -NE-5-49-7-W5	99/03/22 ASSESSED: \$3,000.00	EPEA 213(e)	Emissions of carbon monoxide from the main stack of the plant in May 1997 exceeded the limits specified in the approval to operate the facility; paid 99/04/07.

**TOTAL ADMINISTRATIVE PENALTIES ASSESSED: \$165,250.00**

**TOTAL ADMINISTRATIVE PENALTIES PAID: \$154,250.00**

(includes all payments received for assessments made during this or the previous reporting period)

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COMPANY/INDIVIDUAL	MUNICIPALITY/ILLD	DATE ISSUED	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Whissell, George Canadian Concrete Products Ltd. Canadian Aggregate Co. Ltd.	Sturgeon County -NE-25-54-27-W4	98/06/25	EPEA 200	The parties operate a pit for the removal of sand and gravel at the site; several inspections at the site since 1996 revealed soil erosion into an adjacent property, and slopes that did not comply with the approval to operate and a Conservation and Reclamation Notice subsequently issued; submissions by the parties to date have been inadequate to ensure compliance with the approval and notice; directed to submit a detailed work plan and schedule to bring the site into compliance, and implement upon approval; advise the Inspector prior to commencing implementation; provide progress reports detailing work that has been/will be undertaken during the reporting period; order complied with and closed 99/02/18.

**STATUTES:**

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# ENFORCEMENT ACTIONS *April 1, 1998 to March 31, 1999* ENFORCEMENT ORDERS - WASTE



COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DATE ISSUED	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
507592 Alberta Ltd. o/a All Auto Parts & Service	Calgary -----3-8310180	98/04/07	EPEA 173	Deposited waste (used oil) on land owned by another person; directed to pick up and dispose of all used oil and material contaminated with used oil; provide secondary containment for used oil storage, label containers, and prevent contaminated water from entering the environment; order complied with and closed 98/04/16.
Van Ast Construction Ltd.	Wheatland County -NW-26-23-22-W4	99/02/26	EPEA 173	Party directed to remove all prohibited debris and metal waste from the site and dispose of all other waste at an approved waste management facility.

## STATUTES:

EPEA: Environmental Protection and Enhancement Act (R) indicates associated regulation

# ENFORCEMENT ACTIONS *April 1, 1998 to March 31, 1999* ENVIRONMENTAL PROTECTION ORDERS



COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DATE ISSUED	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Sahara Sandblasting and Painting Ltd.	Edmonton -----9-5129AJ	99/01/19	EPEA 102	Company operates a painting and sandblasting facility; air contaminants having an adverse effect off-site are being released; directed to refrain from sandblasting and painting activities that result in adverse effect off-site; submit plan and schedule for stopping the release of air contaminants off-site, and implement upon approval; submit final report upon completion.



COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DECISION DATE/ PENALTY	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Chem-Security (Alberta) Ltd.	Swan Hills	98/04/20 PENALTY: \$0.00	EPEA 98(2);99(2);100(1)	Released a substance in a manner that (may have) had a significant adverse effect (1); failed to immediately report the release as required (2); failed to include the substance quantity in the report to the Director (2); all charges stayed. ALSO CHARGED: Bovar Environmental Services Inc.; Bovar Western Research Inc.; Bovar Technology Ltd.; Chem-Security Ltd.; Bovar Inc.
Bovar Environmental Services Inc.	Swan Hills	98/04/20 PENALTY: \$0.00	EPEA 98(2);99(2);100(1)	Released a substance in a manner that (may have) had a significant adverse effect (1); failed to immediately report the release as required (2); failed to include the substance quantity in the report to the Director (2); all charges stayed. ALSO CHARGED: Bovar Western Research Inc.; Bovar Technology Ltd.; Chem-Security Ltd.; Bovar Inc.; Chem-Security (Alberta) Ltd.
Bovar Western Research Inc.	Swan Hills	98/04/20 PENALTY: \$0.00	EPEA 98(2);99(2);100(1)	Released a substance in a manner that (may have) had a significant adverse effect (1); failed to immediately report the release as required (2); failed to include the substance quantity in the report to the Director (2); all charges stayed. ALSO CHARGED: Bovar Technology Ltd.; Chem-Security Ltd.; Bovar Inc.; Chem-Security (Alberta) Ltd.; Bovar Environmental Services Inc.
Bovar Technology Ltd.	Swan Hills	98/04/20 PENALTY: \$0.00	EPEA 98(2);99(2);100(1)	Released a substance in a manner that (may have) had a significant adverse effect (1); failed to immediately report the release as required (2); failed to include the substance quantity in the report to the Director (2); all charges stayed. ALSO CHARGED: Chem-Security Ltd.; Bovar Inc.; Chem-Security (Alberta) Ltd.; Bovar Environmental Services Inc.; Bovar Western Research Inc.
Chem-Security Ltd.	Swan Hills	98/04/20 PENALTY: \$0.00	EPEA 98(2);99(2);100(1)	Released a substance in a manner that (may have) had a significant adverse effect (1); failed to immediately report the release as required (2); failed to include the substance quantity in the report to the Director (2); all charges stayed. ALSO CHARGED: Bovar Inc.; Chem-Security (Alberta) Ltd.; Bovar Environmental Services Inc.; Bovar Western Research Inc.; Bovar Technology Ltd.
Bovar Inc.	Swan Hills	98/04/20 PENALTY: \$0.00	EPEA 98(2);99(2);100(1)	Released a substance in a manner that (may have) had a significant adverse effect (1); failed to immediately report the release as required (2); failed to include the substance quantity in the report to the Director (2); all charges stayed. ALSO CHARGED: Chem-Security (Alberta) Ltd.; Bovar Environmental Services Inc.; Bovar Western Research Inc.; Bovar Technology Ltd.

#### STATUTES:

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COMPANY/INDIVIDUAL	MUNICIPALITY/ILLD	DECISION DATE/ PENALTY	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Cool Spring Dairy Farms Ltd.	M.D. of Fairview No. 136 -NE-27-81-1-W6	98/05/01 PENALTY: \$5,000.00	EPEA 213(f),(g)	Charged with contravening an enforcement order (5 counts) and knowingly contravening an enforcement order (4 counts). Convicted on one count of contravening an enforcement order and fined \$5,000.00. Also ordered to comply with the terms of an Order under Section 220 of the Environmental Protection and Enhancement Act to cease operation unless conditions relating to the operation of the facility as set out in the Order are met. Other 8 counts dismissed. Notice of Appeal filed 98/05/27. The decision of the Court of Queen's Bench 99/03/29 reduced the fine to \$2500.00 and altered the terms of the Order. ALSO CHARGED: Mullink, Hans.
Mullink, Hans	M.D. of Fairview No. 136 -NE-27-81-1-W6	98/05/01 PENALTY: \$5,000.00	EPEA 213(f),(g)	Charged with contravening an enforcement order (5 counts) and knowingly contravening an enforcement order (4 counts). Convicted on one count of contravening an enforcement order and fined \$5,000.00. Also ordered to comply with the terms of an Order under Section 220 of the Environmental Protection and Enhancement Act to cease operation unless conditions relating to the operation of the facility as set out in the Order are met. Other 8 counts dismissed. Notice of Appeal filed 98/05/27. The decision of the Court of Queen's Bench 99/03/29 reduced the fine to \$2500.00 and altered the terms of the Order. ALSO CHARGED: Cool Spring Dairy Farms Ltd.
Cool Spring Dairy Farms Ltd.	M.D. of Fairview No. 136 -NE-27-81-1-W6	98/05/01 PENALTY: \$20,000.00	EPEA 213(e)	In addition to original charges for contravening an enforcement order, 4 additional charges were laid for contravening the terms of an approval. Convicted on all 4 counts and fined \$5,000 on each count. Also ordered to comply with the terms of an Order under Section 220 of the Environmental Protection and Enhancement Act to cease operation unless conditions relating to the operation of the facility as set out in the Order are met. 05/27/98 Notice of Appeal filed 98/05/27. The decision of the Court of Queen's Bench 99/03/29 reduced the fine to \$2,500 on each count and altered the terms of the Order. ALSO CHARGED: Mullink, Hans
Mullink, Hans	M.D. of Fairview No. 136 -NE-27-81-1-W6	98/05/01 PENALTY: \$20,000.00	EPEA 213(e)	In addition to original charges for contravening an enforcement order, 4 additional charges were laid for contravening the terms of an approval. Convicted on all 4 counts of contravening the terms of an approval and fined \$5,000 on each count. Also ordered to comply with the terms of an Order under Section 220 of the Environmental Protection and Enhancement Act to cease operation unless conditions relating to the operation of the facility as set out in the Order are met. Notice of Appeal filed 98/05/27. The decision of the Court of Queen's Bench 99/03/29 reduced the fine to \$2500.00 on each count and altered the terms of the Order. ALSO CHARGED: Cool Spring Dairy Farms Ltd.

### STATUTES:

EPEA: Environmental Protection and Enhancement Act  
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COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DECISION DATE/ PENALTY	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Van Waters & Rogers Ltd.	Calgary	98/06/03 PENALTY: \$180,000.00	EPEA 98(2)	Charged with 1 count of releasing a substance (xylene) into the environment in a manner that may cause a significant adverse effect (discharge entered storm water system): Fined \$80,000 plus a Creative Sentencing Order which requires the company to; undertake 6 environmental projects; contribute \$10,000 to the Canadian Association of Chemical Distributors for an education and training program; and post a \$50,000 bond with the Court to ensure compliance with the Order. It is estimated that the financial impact of the Order will be approximately \$100,000, in addition to the \$80,000 fine.
Gaudry, Bryan	Edmonton	98/06/23 PENALTY: \$0.00	EPEA;(R)129/93 58;59;97;179;14(1)	Charged with: 1 count each of releasing and knowingly releasing a substance contrary to regulations; 2 counts of unlawful acceptance of hazardous waste without a PIN; 1 count each of commencing and knowingly commencing an activity without the appropriate approval; 1 count of unlawful disposal into a landfill; all charges stayed. ALSO CHARGED: Kanata Environmental Services Inc.; Lefebvre, Blaine
Kanata Environmental Services Inc.	Edmonton	98/06/23 PENALTY: \$0.00	EPEA;(R)129/93 58;59;97;179;14(1)	Charged with: 1 count each of releasing and knowingly releasing a substance contrary to regulations; 2 counts of unlawful acceptance of hazardous waste without a PIN; 1 count each of commencing and knowingly commencing an activity without the appropriate approval; 1 count of unlawful disposal into a landfill; all charges stayed. ALSO CHARGED: Gaudry, Brian; Lefebvre, Blaine
Lefebvre, Blaine	Edmonton	98/06/23 PENALTY: \$7,000.00	EPEA;(R)129/93 58;59;97;179;14(1)	Charged with: 1 count each of releasing and knowingly releasing a substance contrary to regulations; 2 counts of unlawful acceptance of hazardous waste without a PIN; 1 count each of commencing and knowingly commencing an activity without the appropriate approval; 1 count of unlawful disposal into a landfill; plead guilty to knowingly releasing a substance, accepting hazardous waste without a PIN and commencing an activity without an approval, and fined \$5,000, \$1,000 and \$1,000 respectively; remaining charges stayed; Crown appealed sentence 98/07/07; Appeal dismissed 99/07/02. ALSO CHARGED: Kanata Environmental Services Inc.; Gaudry, Bryan
Lefebvre, Blaine	Edmonton	98/07/13 PENALTY: \$0.00	CC 368(1)	Charged with uttering a forged document (hazardous waste manifest) (2); all charges stayed.
Lefebvre, Blaine	Edmonton	98/07/13 PENALTY: \$0.00	CC 380(1);397(1)	Charged with additional counts of forgery (2) and fraud(1), all with respect to hazardous waste manifest; all charges stayed.

**STATUTES:**

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 CC: Criminal Code  
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COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DECISION DATE/ PENALTY	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Chem-Security (Alberta) Ltd.	Swan Hills	98/10/22 PENALTY: \$625,000.00	EPEA 98(2);99(2);100(1)	Released a substance in a manner that (may have) caused a significant adverse effect (1); failed to immediately report the release as required (1); failed to include the substance and quantity released in the report to the Director (1); convicted on all three counts and assessed penalties of \$400,000.00, \$125,000.00 and \$100,000.00 respectively; sentencing hearing to be held at a future date to determine the portion of penalties to go towards fines and creative sentence.
Western Feedlots Ltd.	County of Vulcan No. 2	98/10/27 PENALTY: \$120,000.00	EPEA;FFA 98(2);99(2);36(3)	Charged with unlawful release a substance in a manner that cause(s)(ed) a significant adverse effect (1); failure to immediately report the release to the Director (1); and unlawful deposit of a deleterious substance that may enter water frequented by fish (8); pleaded guilty on failure to immediately report and ordered to pay \$80,000.00 into a trust fund for Ducks Unlimited to fund an environmental improvement project to control avian botulism at Stobart Lake; pleaded guilty to 1 count of depositing a deleterious substance and fined \$60,000.00; remaining charges stayed.
Wonnacott, Spencer Troy	Mountain View County -SE-6-31-5-W5	98/11/04 PENALTY: \$0.00	EPEA 182.1;182;168.1	Charged with 1 count of unlawful disposal of hazardous waste, 1 count of unlawful transport of hazardous waste without a manifest, and 1 count of unlawful disposal of waste, pleaded guilty on unlawful disposal and transport of hazardous waste charges; ordered to (i) publish the circumstances of his offence in the Didsbury Review, and (ii) perform 200 hours of community service work for the Public Works Department of Parkland County; remaining charge withdrawn.
McGlone, Richard	County of Barrhead No. 11	98/11/27 PENALTY: \$7,500.00	EPEA 156(1);213(f);(g)	Charged with contravening an Enforcement Order prohibiting application of a pesticide (2); knowingly contravening an Enforcement Order prohibiting application of a pesticide (1); applying a pesticide in a manner contrary to the regulations and the label (1); convicted on one count of contravening an Enforcement Order, knowingly contravening an Enforcement Order, and application of a pesticide; remaining count dismissed; fined/sentenced to \$5,000.00, 45 days in jail, and \$2,500.00 respectively; Notice of Appeal against conviction and sentence filed 98/12/02. Appeal dismissed 99/06/03. Original sentence upheld.
Air Agro Ltd.	M.D. of Provost No. 52 --13-41-7-W4	99/02/09 PENALTY: \$30,000.00	EPEA;(R)24/97 156.5(1)	Charged with applying a pesticide (Roundup) on lands owned by another person in a manner contrary to the regulations and label (5); application causing an adverse effect (1); pleaded guilty to 5 counts of application contrary to regulations and label, and fined \$3,000.00 on each count (\$15,000.00); the court assessed an additional fine of \$3,000.00 per count (\$15,000.00) pursuant to s.216 of EPEA, due to the monetary benefit accrued as a result of the commission of the offences; remaining count of application with adverse effect stayed. ALSO CHARGED: Steadman, Lynn
Steadman, Lynn	M.D. of Provost No. 52 --13-41-7-W4	99/02/09 PENALTY: \$0.00	EPEA;(R)24/97 156.5(1)	Charged with applying a pesticide (Roundup) on lands owned by another person in a manner contrary to the regulations and label (5); application causing an adverse effect (1); all charges stayed. ALSO CHARGED: Air Agro Ltd.

**STATUTES:**

EPEA: Environmental Protection and Enhancement Act  
 CC: Criminal Code  
 (R): indicates associated regulation



COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DECISION DATE/ PENALTY	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Agrium Inc.	Carseland -6-22-26-W4	99/03/18 PENALTY: \$150,000.00	EPEA 213(e),97(2)	Charged with 7 counts as follows: 1 count - releasing ammonia in an amount that exceeded the approval limits; 1 count - releasing ammonia in excess of the amount specified by the Regulations; 1 count - failing to report the ammonia release; 1 count - releasing nitrogen oxide in an amount that exceeded the approval limits; 1 count - releasing nitrogen oxide in excess of the amount specified by the Regulations; 1 count - failing to report the nitrogen oxide release; 1 count - failing to include particulars of a release in the monthly report. Pled guilty to one count of releasing nitrogen oxide in excess of the approval limits and one count of failing to report. Penalty assessed - \$25,000 and \$125,000 respectively, for a total of \$150,000. \$75,000 of the total penalty was directed to the University of Alberta's Faculty of Engineering to develop technologies for reducing nitrous oxide emissions at the Agrium Carseland Facility. Remaining 5 counts were stayed.
Aero Paint Canada Inc.	Edmonton	99/03/29 PENALTY: \$22,000.00	EPEA 182,213(c)	Charged with: Count 1: unlawful consignment of a hazardous waste (waste paint stripper) without a manifest; and, count 2: failing to mail the first copy of manifest as required by section 8(1)(b) of AR 129/93 (1); pled guilty to count 1 and fined \$10,000 plus a creative sentence order requiring the company to: build secondary containment for its stored drums of waste and recyclable materials; conduct external audits twice yearly; keep additional records for a period of 3 years which are to be made available to Alberta Environmental Protection on demand; Count 2 - stayed. ALSO CHARGED: QEC Canada Corp.; Rondeau, Nathan.
QEC Canada Corp.	Edmonton	99/03/29 PENALTY: \$0.00	EPEA 182,213(c)	Charged with unlawful consignment/transport of a hazardous waste without a manifest (1) and failing to mail first copy of manifest as required by section 8(1)(b) of AR 129/93 (1); charges stayed. ALSO CHARGED: Rondeau, Nathan; Aero Paint Canada Inc.
Rondeau, Nathan	Edmonton	99/03/29 PENALTY: \$0.00	EPEA 182,213(c)	Charged with unlawful consignment/transport of a hazardous waste without a manifest (1) and failing to mail first copy of manifest as required by section 8(1)(b) of AR 129/93 (1); charges stayed. ALSO CHARGED: Aero Paint Canada Inc.; QEC Canada Corp.

**TOTAL PENALTIES: \$1,191,500.00**

# ENFORCEMENT ACTIONS April 1, 1998 to March 31, 1999 TICKETS



COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DECISION DATE/ PENALTY	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Roseburn Ranches Ltd.	M.D. of Foothills No. 31 -SE-16-19-1-W5	98/04/24 PENALTY: \$115.00	EPEA 171	Company deposited waste (runoff from feedlot lagoons) on land owned/administered by local authority (roadside ditch); fine paid.
Beusekom, J.	Coalhurst	98/07/02 PENALTY: \$115.00	EPEA 171	Disposed of waste on land owned by local authority (wastewater lagoon overflowed to highway ditch); fine paid.
Olson, O.R.	Gibbons -SW-35-55-23-W4	98/08/12 PENALTY: \$115.00	EPEA 59	Burning prohibited debris(manure) in an open fire, without an approval; fine paid.
Klepper, G.	Rocky Mountain House	98/08/13 PENALTY: \$115.00	EPEA 170(1)	Disposed of waste (sewage) on a highway; fine paid.
Westcan Manufacturing Inc.	Calgary	98/10/22 PENALTY: \$115.00	EPEA 173	Disposed of waste (sawdust) on another person's property without agreement; fine paid.
Kuhn, V.	Leduc County -NW-32-49-25-W4	99/02/05 PENALTY: \$115.00	EPEA 59	Burned prohibited debris (coating from copper wire) in an open fire without an approval; fine paid.
Von Ast Construction Ltd.	Wheatland County -NW-26-23-22-W4	99/03/09 PENALTY: \$115.00	EPEA 59	Burned prohibited debris in an open fire without an approval; fine paid.

**TOTAL FINES: \$805.00**

## STATUTES:

EPEA: Environmental Protection and Enhancement Act (R): indicates associated regulation  
 TOGCA: Transportation of Dangerous Goods Control Act

# ENFORCEMENT ACTIONS April 1, 1998 to March 31, 1999 WARNINGS



COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DATE ISSUED	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
507592 Alberta Ltd. o/a All Auto Parts & Service	Calgary -----3-4310180	98/04/16	EPEA(R)192/96 18(1)	Failed to provide secondary containment for a hazardous recyclable (used oil).
Galiardi, R.W.	Calgary -----	98/04/23	EPEA 173	Disposed of waste (garbage, containers of paint) on another person's property without permission.
Anderson Exploration Ltd.	M.D. of Saddle Hills No. 20 8-15-84-8-W6	98/04/29	EPEA 213(e)	Company's subsidiary, Home Oil Company Ltd., operates the Cecil sour gas plant and failed to submit the 1996 annual air emissions and effluent reports for the facility within the timeframe specified in the approval.
Carrier Lumber Ltd.	M.D. of Opportunity No. 17 -SE-28-98-4-W5	98/05/07	EPEA 213(e)	Company failed to comply with the reporting requirements of the approval for their sawmill located near Trout Lake.
Penn West Petroleum Ltd.	County of Vermilion River No. 24 3-32-49-6-W4	98/05/15	EPEA 122(2)	Company failed to provide notification respecting reclamation of their oil production site in the manner prescribed by the Code of Practice for Oil Production Sites, contrary to s. 3(2)(a) of the Conservation and Reclamation Regulation (AR 115/93).
Renata Resources Inc.	M.D. of Wainwright No. 61 3-17-43-1-W4	98/05/15	EPEA 122(2)	Company failed to provide notification respecting reclamation of their oil production site in the manner prescribed by the Code of Practice for Oil Production Sites, contrary to s. 3(2)(a) of the Conservation and Reclamation Regulation (AR 115/93).
Talisman Energy Inc.	County of Vermilion River No. 24 9-22-50-4-W4	98/05/15	EPEA 122(2)	Company failed to provide notification respecting reclamation of their oil production site in the manner prescribed by the Code of Practice for Oil Production Sites, contrary to s. 3(2)(a) of the Conservation and Reclamation Regulation (AR 115/93).
Mossleigh Development Ltd.	Mossleigh -----5-1-9510680	98/06/30	EPEA 173	Disposed of waste (pumped septic waste) on another person's property without permission.
Hutterian Brethren of Parkland, The	M.D. of Willow Creek No. 26 -SE-2-15-28-W4	98/07/22	EPEA 59	Burned prohibited debris (fibreglas, plastic, animal cadavers) in an open fire without an approval.

## STATUTES:

EPEA: Environmental Protection and Enhancement Act (R): indicates associated regulation



COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DATE ISSUED	STATUTE(S)/SECTION(S)	COMMENTS / DISPOSITION
Inland Cement Ltd.	Edmonton	98/08/12	EPEA 213(e)	Company failed to immediately provide a verbal report to the department concerning visible emissions from their stack, contrary to their approval to operate.
Amoco Canada Petroleum Company Ltd.	M.D. of Brazeau No. 77 -7-49-8-W5	98/08/18	EPEA(R)125/93 2(1)	Released an ozone depleting substance (74.5 kg of Halon 1301) from the Drayton Valley Operating Centre without an approval.
MacDonald, B.	Edmonton	98/08/19	EPEA(R)24/97 5(1)	Applied a pesticide in a manner that caused an adverse effect (accidental overspray of Roundup resulted in irreversible damage to neighbor's garden).
Gray's Limited	Strathmore	98/09/29	EPEA 59	Burned prohibited debris (foam, linoleum) in an open fire without an approval.
Southland International Trucks Ltd.	Lethbridge	98/10/05	EPEA 171	Deposited waste on land owned by a local authority (release of septic wastes into roadside ditch).
Municipal District of Lesser Slave River No. 124	M.D. of Lesser Slave River No. 124 -NE-6-66-1-W5	98/10/09	EPEA 213(e)	Released effluent from the Flatbush sewage lagoon without authorization, contrary to the approval to operate.
Signalta Resources Limited	Flagstaff County 13-14-42-16-W4	98/10/21	EPEA 213(e)	Company failed to report exceedences of allowable ambient air contaminant concentrations and the results of continuous ambient air monitoring as required by the approval for the Forestburg gas plant.
Redwater Water Disposal Company Limited	Sturgeon County 2-1-57-12-W4	98/10/22	EPEA 213(e)	Company failed to report exceedences of ambient air contaminant concentrations as required by their approval to operate.
County of Ponoka No. 3	County of Ponoka No. 3 -SW-29-42-23-W4	98/10/23	EPEA 59	Burned prohibited debris (plastic materials) at the Mecca Glen landfill without approval.

**STATUTES:**

EPEA: Environmental Protection and Enhancement Act (R): indicates associated regulation



# ENFORCEMENT ACTIONS April 1, 1998 to March 31, 1999 WARNINGS



COMPANY/INDIVIDUAL	MUNICIPALITY/LLD	DATE ISSUED	STATUTE(S)/SECTION(S)	COMMENTS / DISPOSITION
Ulster Petroleums Ltd.	Kneehill County 4-12-34-26-W4	98/11/05	EPEA 213(e)	Company was late in submitting the 1998 source emission survey report for the Wimbome gas plant, contrary to the approval to operate.
Inuvialuit Energy Inc.	M.D. of Mackenzie No. 23 12-24-110-08-W6	98/11/05	EPEA 213(e)	Company was late in submitting the 1998 source emission survey report for the Rainbow Lake gas plant, contrary to the approval to operate.
Norcen Energy Resources Limited	M.D. of Saddle Hills No. 20 -SE-1-78-10-W6	98/11/13	EPEA 213(e)	Company was late in submitting the 1997 source emission survey report for the Progress gas plant, contrary to the approval to operate.
Imperial Oil Partnership	Strathcona County -E-1-53-23-W4	98/11/30	EPEA 213(e)	Failed to immediately report an exceedance of the maximum daily average dissolved sulphides limit as specified in the approval to operate the Strathcona Refinery.
Solvent Buddy (Western) Inc.	Edmonton	98/12/17	EPEA 59	Stored hazardous recyclables without the appropriate approval, and contrary to the manner specified by the Waste Control Regulation.
Westcan Bulk Transport Ltd.	Calgary -2-24-29-W4	99/01/14	EPEA 182.1	Company improperly disposed of hazardous waste (ammonium nitrate) in June 1998, at the East Calgary landfill.
Murray Energy Ltd.	Special Area 3 10-28-28-3-W4	99/01/14	EPEA 213(e)	Company failed to submit the 1997 annual summary and evaluation report, and several 1998 monthly monitoring reports within the timeframe specified by the approval to operate the Benton sour gas plant.
Canmore, Town of	Canmore -29-24-10-W5	99/01/26	EPEA 59	In May 1998, the Town decommissioned (demolished) the sewage treatment plant they operated without the required approval.
Lyman, A.	M.D. of Clear Hills No. 21 -NW-10-83-3-W6	99/02/08	EPEA 156(1)	Applied Roundup Liquid Herbicide in September 1997 in a manner that was contrary to the regulations and the label, and which resulted in damage to an adjacent property.

## STATUTES:

EPEA: Environmental Protection and Enhancement Act (R) indicates associated regulation





COMPANY/INDIVIDUAL	MUNICIPALITY/LD	DATE ISSUED	STATUTE(S)/SECTION(S)	COMMENTS / DISPOSITION
Mikkelsen, R.	M.D. of Clear Hills No. 21 -NW-10-83-3-W6	99/02/08	EPEA 156(1)	Applied Roundup Liquid Herbicide in September 1997 in a manner that was contrary to the regulations and the label, and which resulted in damage to an adjacent property.
Wascana Energy Inc.	M.D. of Rocky View No. 44 7-2-26-29-W4	99/02/11	EPEA 213(e)	Company failed to provide two weeks advance notification of a March 1998 stack survey to be conducted for the east sulphur recovery process unit incinerator at the Balzac sour gas plant, contrary to the approval to operate.
Canmore, Town of	Canmore -NW-28-24-10-W5	99/02/18	EPEA 213(e)	In November 1998, the Town failed to carry out sampling and failed to report the lack of sampling as required by their approval to operate.
Petro-Canada	M.D. of Greenview No. 16 -NW-26-67-5-W6	99/02/19	EPEA 213(e)	Company failed to submit an October 1997 source emission survey report for the Gold Creek sour gas plant within the timeframe specified in the approval to operate.
Joint Modified Landfill Committee	County of Athabasca -SE-36-64-9-W4	99/03/04	EPEA(R)192/96 26(2)	Conducted burning of prohibited debris at a waste management facility in a manner contrary to the Regulations.
Pyramid Machine Tools Inc.	Calgary	99/03/19	EPEA 173	Disposed of waste in March 1999 (spilled approximately 5 gallons of coolant) on another person's property without permission; clean up effected by fire department.
Rio Alto Exploration Ltd.	M.D. of Greenview No. 16 -NW-26-67-5-W6	99/03/22	EPEA 213(e)	The company failed to submit an October 1998 source emission survey report within the timeframe specified in the approval for the Gold Creek sour gas plant.
Strathcona Welding (1981) Ltd.	Edmonton	99/03/24	EPEA 173	Sandblasting activities on site in March 1999 resulted in the deposit of waste (spent sand) on another person's property without permission.
Kaith's Automotive Sandblasting Co. Ltd.	Edmonton	99/03/30	EPEA 173	Sandblasting activities on site in March 1999 resulted in the deposit of waste (spent sand) on another person's property without permission.



**ENFORCEMENT ACTIONS**  
*April 1, 1998 to March 31, 1999*  
**WARNINGS**

COMPANY/INDIVIDUAL	MUNICIPALITY/ILLD	DATE ISSUED	STATUTE(S)/ SECTION(S)	COMMENTS / DISPOSITION
Medicine Hat Regional Hospital Auxiliary Assoc.	Medicine Hat	99/03/31	EPEA 213(e)	Emissions from the incinerator scrubber stack of the Medicine Hat Regional Hospital during December 1997, May and October 1998, and January 1999 exceeded discharge limits specified in the approval to operate.

**STATUTES:**

EPEA: Environmental Protection and Enhancement Act (R): Indicates associated regulation